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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/634,434	08/08/2000	Randal Raymond Stark	24-NS-06020	4385

7590 07/27/2004

John S Beulick
Armstrong Teasdale LLP
One Metropolitan Square
Suite 2600
St Louis, MO 63102-2740

EXAMINER	
RHODE JR, ROBERT E	

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/634,434	STARK ET AL.	
	Examiner	Art Unit	
	Rob Rhode	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *28 June 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-76,86-102 and 106-120* is/are pending in the application.

4a) Of the above claim(s) *86-102 & 106-120* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-76* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6-28-2004 has been entered.

Response to Amendment

Applicant amendment of 6-28-04 amended claims 1 and 33 and canceled claims 77 – 85 and 103 - 105 as well as withdrew claims 86 – 102 and 106 - 120 from further consideration. In addition, the applicant traversed rejections of Claims 1 – 76.

An action on the merits of claims 1- 76 follows.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1 – 21, 23 – 35, 37 – 64, 66 – 72 and 74 – 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Spriggs (US 6,421,571 B1) in view of Maguire (US 5,331,579).

Regarding claim 1 and related claim 33, Spriggs teaches a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of receiving information relating to internal components of a specific plant (see at least Abstract, Col 1, lines 61 – 67 and Figures 1 – 4); storing the information into a centralized database (see at least Col 1, lines 65 – 66 and Figures 1 – 3); updating the centralized database with information received (see at least Col 1, lines 61 – 67); cross-referencing the information received against the specific plant (see at least Col 1, lines 1 – 10 and Col 8, lines 43 – 44); and providing information in response to an inquiry (see at least Col 2, lines 56 – 64 and Figures 1 – 3).

However, Spriggs does not specifically disclose and teach a method and system of developing inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database.

On the other hand, Maguire in the same area of methods and information systems for nuclear power/industrial plants does teach a method and system of developing inspection recommendations for specific internal components based on information received and information stored in a database (see at least Abstract and Col 2, lines 61 – 67 and Col 3, lines 1 – 5); and determining cracking susceptibility for specific internal components based on information received and information stored in a database (see at least Abstract and Col 3, lines 20 – 44). Please note that Maguire does not specifically disclose, "determining cracking susceptibility for specific internal components". However, Maguire does disclose a system to collect, store and display data representative of the operating condition of plant components as well as calculating the expected life of each component. Thereby, this would fairly suggest and teach one of ordinary skill in the art that a key operating condition that would be determined/calculated would be "cracking" susceptibility of internal components. Thus, the plant operator would be able to calculate/determine when cracking could occur and thereby change the component before failure or before the internal component cracks, which can preclude costly failures for both the company and the community.

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the method and system of Maguire to have enabled a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said

method comprising the steps of – receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific plant; developing inspection recommendations for specific internal components based on information received and information stored in a database; determining cracking susceptibility for specific internal components based on information received and information stored in a database; and providing information in response to an inquiry – in order to provide a robust method and system for plant monitoring and scheduling maintenance based on specific internal components needs and control. Spriggs discloses a method and system for managing internal components of nuclear power/industrial plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific plant; and providing information in response to an inquiry (Abstract, Col 1, lines 61 – 67, Col 2, lines 56 – 64 and Figures 1 – 3). Maguire discloses for a nuclear power plants a method and system of developing inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database (see at least Abstract, Col 2, lines 61 - 67 and Col 3, lines 1 - 5).

Therefore one of ordinary skill in the art would have been motivated to extend the method and system of Spriggs with a method and system for nuclear power plants that develops inspection recommendations for specific internal components based on information received and information stored in a database; and determining cracking susceptibility for specific internal components based on information received and information stored in a database (see at least Abstract, Col 2, lines 61 - 67 and Col 3, lines 1 – 5). In this manner, the method and system provides a complete plant management and control method and system that will anticipate internal component problems before they happen and thereby reduce long term cost and ensure greater safety for these plants - as well as the community.

Regarding claim 2 and related claims 43 and claim 3 and related claim 44 as well as claims 4, and related claim 45, a method wherein said step of "*receiving*" information further comprises the step of receiving data for at least one of a Dresden plant, a Dresden plant, a LaSalle 1 plant, a LaSalle 2 plant, a Quad Cities 1 plant, and a Quad Cities plant as well as nuclear reactor plants. Please note that in online methods and systems for interactive databases such specifics – as *receiving* information/data further comprises receiving data –" for at least one of a Dresden plant, a Dresden plant, a LaSalle 1 plant or nuclear reactor plants " and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's

invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Core Spray Internal piping, a Dresden plant, a Dresden plant, a LaSalle 1 plant and other variations in these claims - which is received data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 5 and related claim 46 as well as other claims regarding "*storing*" and specifically claims 8 – 19 and 47 – 58, 61 as well as 71, Spriggs teaches a method according wherein said step of "*storing*" information further comprises the step of *storing* data (see at least Abstract, Col 2, lines 65 – 67, Col 3, lines 1- 5 and Figures 1 – 4) for at least one of a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate as well as a plurality of plants. Please note that in online methods and systems for interactive databases with specifics such as – "a method wherein said step of *storing* information further comprises the step of *storing* data for at least one of a Dresden 2 plant" and other non functional descriptive material cited (such as Dresden plant 2) in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably

distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases are capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Dresden 2 plant and other variations in these claims - which is stored data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 6 and related claim 59, Maguire teaches a method further comprising developing a contingency options for repair or mitigation of specific internal components (Col 2, lines 19 – 28).

Regarding claim 7 and related claim 60, Maguire teaches a method further comprising selecting a specific repair or mitigation option for each specific internal component (Col 13, line 67 and Col 14, lines 1 – 5).

Regarding claim 20 and related claim 63, Maguire teaches a repair schedule for the specific components that coincides with the scheduled reactor plant shutdowns (Col 7, lines 30 – 33).

Regarding claim 21 and related claims 64 and 72, Spriggs does specifically disclose a method wherein said step of updating the centralized databases (see at least Figures 1 – 4) further comprises the steps of adding and deleting information and entering

information on-line. Please note that Spriggs does disclose in online methods and systems for interactive databases. However, Spriggs does not specifically disclose such specifics as – further comprises the steps of adding and deleting information and entering information online, which are old and well known to one of ordinary skill in the art at the time of the applicant's invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the capability and steps to add and delete information on-line.

Regarding claim 23 and related claims 66 as well as claim 25 and related claim 68, Spriggs teaches a method wherein said step of providing training information in response to an inquiry comprises the steps of: downloading requested information from a server system; and displaying requested information on a client system in response to the inquiry (see at least Abstract and Figures 1 – 3).

Regarding claim 24 and related claim 67, Spriggs teaches a method wherein said step of providing information further comprises the step of printing (Col 28, lines 5 – 6)

Regarding claim 26 and related claim 69 as well as 27 and related claim 70, Spriggs teaches a method wherein said step of accepting an inquiry further comprises the steps of: displaying information on the client system (see at least Figures 1 and 7) identifying at least one of an option relating to a specific nuclear plant; and receiving an inquiry from the client system (see at least Figures 1 and 7) regarding at least one of an option

relating to a the specific nuclear plant. Please note that the non-functional descriptive material such as nuclear reactor plant and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. nuclear reactor plants - which is stored data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 28 and related claim 74, Spriggs does not specifically disclose a method wherein said step of receiving an inquiry from the client system further includes the step of submitting a request through pull down menus. Please note that Spriggs does address the use of menus (see at least Figure 7). However, Spriggs does not specifically disclose the capability to provide pull down menus, which is old and well known to one of ordinary skill in the art at the time of the invention. It therefore would have been obvious to provide the method and system of Spriggs with pull down menus in order to have provided the capability.

Regarding claim 29 and related claim 75, Spriggs teaches a method wherein said step of displaying information further includes the step of displaying an HTML document downloaded by the server system (Figure 7).

Regarding claim 30 and related claim 76, Spriggs teaches a method wherein said step of displaying further comprises the step of displaying at least one alternative from various alternatives available to the user (Figures 7 and 8).

Regarding claim 31, Spriggs teaches a method wherein said step of downloading the information in response to the inquiry further comprises the steps of: accessing the centralized database; searching the database regarding the specific inquiry; retrieving information from the database; and transmitting the retrieved information to the client system for display by the client system (see at least Abstract and Figures 1 – 3 and 7 – 8).

Regarding claim 32, Spriggs teaches a method wherein the client system and the server system are connected via a network and wherein the network is one of a wide area network, a local area network, an intranet and the Internet (Figure 2).

Regarding claim 34, Spriggs teaches a system wherein said client system is further configured with: a displaying component for displaying at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a

Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; and a sending component to send an inquiry to the server system so that the server system can process and download the requested information to the client system (Figures 1 – 3) and (claim 35) wherein the sending component functions in response to a click of a mouse button (Col 8, lines 1 – 10) as well as (claim 37) wherein said system is further configured to be protected from access by unauthorized individuals (Col 27, lines 66 – 67) and (claim 38) wherein said server system is further configured with - a collection component for collecting information from users into the centralized database; a tracking component for tracking information on an on-going basis; a displaying component for displaying information on at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; a receiving component for receiving an inquiry from the client system regarding at least one of an option relating to a Core Spray Internal piping, a Core Spray Sparger, a Lower plenum, a Shroud, a Shroud support and Access Hole Cover, a Jet Pump Diffuser, a Jet Pump Riser and riser Brace, a Jet Pump Inlet Mixer, a Jet Pump Sensing Line, an LPCI, a Top Guide 4, and a Core Plate; and
an accessing component for accessing the centralized database and causing the retrieved information to be displayed on the client system (see at least Abstract and Figures 1 – 4) and (claim 39) wherein said server system further configured with a

receiving component for receiving an inquiry to provide information from one of a plurality of users (Figure 1). Please note that the non-functional descriptive material such as Core Spray Internal piping and other non-functional descriptive material cited in these claims is given little patentable weight. The phrase(s) and or word(s) are given little patentable weight because the claim language limitation is considered to be non-functional descriptive material, which does not patentably distinguish the applicant's invention from Spriggs. Moreover and as taught by Spriggs, interactive databases have been capable of these functions and have had these capabilities well before the applicant's invention. Thereby, the non-fictional descriptive material is directed only to the content of the data (i.e. Core Spray Internal piping and other variations in these claims - which is data) and does not affect either the structure or method/process of Spriggs, which leaves the method and system unchanged.

Regarding claim 40, Spriggs teaches a system wherein said server system further configured with a processing component for searching and processing received inquiries against the data storage device containing a variety of information collected by the collection component (Abstract and Figures 1 – 3).

Regarding claim 41, Spriggs teaches a system wherein said server system further configured with a retrieving component to retrieve information from the data storage device (Figures 1 – 3).

Regarding claim 42, Spriggs teaches a system wherein said server system further configured with an information fulfillment component that downloads the requested information after retrieving from the data storage device to the plurality of users in the order in which the requests were received by the receiving component (Figures 1 – 3).

Regarding claim 62, Spriggs teaches a system wherein said server system further configured to: track information on a real time basis; and store information on a real time basis by updating stored information by adding the new information to the centralized database on a real time basis to provide up-to date information instantaneously to the user upon a request (Abstract and Figures 1 – 4).

Claims 22, 36, 65 and 73 rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Spriggs and Maguire, as applied to claims 22, 36, 65 and 73 and further in view of Bodo (US 6,122,239).

The combination of Spriggs and Maguire substantially discloses and teaches the applicant's invention.

However, the combination does not specifically disclose and teach a method and system wherein the sending component functions in response to a voice command.

On the other hand and regarding claim 22 and related claims 36, 65 and 73, Bodo teaches a method and system wherein the sending component functions in response to a voice command (Col 16, lines 20 – 22).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the combination of Spriggs and Maguire with the method and system of Bodo to have enabled wherein the sending component functions in response to a voice command – in order to provide ease of use by a plant technician. The combination of Spriggs and Maguire disclose a method and system for managing internal components of nuclear reactor power plants using a network-based system including a server system coupled to a centralized interactive database and at least one client system, said method comprising the steps of - receiving information relating to internal components of a specific plant; storing the information into a centralized database; updating the centralized database with information received; cross-referencing the information received against the specific; developing inspection recommendations for specific internal components based on information received and information stored in a database; determining cracking susceptibility for specific internal components based on information received and information stored in a database; and providing information in response to an inquiry. Bodo discloses a method and system wherein the sending component functions in response to a voice command (Col 16, lines 20 – 22). Therefore, one of ordinary skill in the art would have been motivated to extend the combination of Spriggs and Maguire with a method and system wherein the sending

component functions in response to a voice command. In this regard, it would allow the technician to work on a correcting problem, while communicating with appropriate individuals.

Response to Arguments

Applicant's arguments filed 6-28-2004 have been fully considered but they are not persuasive.

The applicant alleges that the cited references in the Final Rejection do not suggest or teach all the limitations of claim 1 or claim 33.

Since the applicant did not have any arguments of note, the above Rejection is provided.

Of note, a "traverse" is a denial of an opposing party's allegations of fact.[1] The Examiner respectfully submits that applicants' arguments and comments do not appear to traverse what Examiner regards as knowledge that would have been generally available to one of ordinary skill in the art at the time the invention was made. Even if one were to interpret applicants' arguments and comments as constituting a traverse, applicants' arguments and comments do not appear to constitute an adequate traverse because applicant has not specifically pointed out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. 27 CFR 1.104(d)(2), MPEP 707.07(a). An

[1] Definition of Traverse, Black's Law Dictionary, "In common law pleading, a traverse signifies a denial."

adequate traverse must contain adequate information or argument to create on its face a reasonable doubt regarding the circumstances justifying Examiner's notice of what is well known to one of ordinary skill in the art. In re Boon, 439 F.2d 724, 728, 169 USPQ 231, 234 (CCPA1971). If applicant does not seasonably traverse the well-known statement during examination, then the object of the well-known statement is taken to be admitted prior art. In re Chevenard, 139 F.2d 71, 60 USPQ 239 (CCPA 1943). MPEP 2144.03 Reliance on Common Knowledge in the Art or "Well Known" Prior Art.

In view of applicant's failure to adequately traverse official notice, the following are admitted prior art:

O Regarding claims 21, 64 and 72, Spriggs does not specifically disclose such specifics as – further comprises the steps of adding and deleting information and entering information online, which are old and well known to one of ordinary skill in the art at the time of the applicant's invention. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided the method and system of Spriggs with the capability and steps to add and delete information on-line.

O Regarding claims 28 and 74, Spriggs does not specifically disclose the capability to provide pull down menus, which is old and well known to one of ordinary skill in the art at the time of the invention. It therefore would have been obvious to provide the method and system of Spriggs with pull down menus in order to have provided the capability.

Conclusion

This is a Request for Continued Examination of applicant's earlier Application No. 09/634,434. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

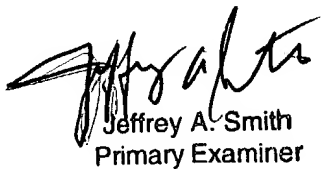
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Rob Rhode** whose telephone number is **(703) 305-8230**. The examiner can normally be reached Monday thru Friday 8:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Jeff Smith** can be reached on **(703) 308-3588**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Receptionist** whose telephone number is **(703) 308-1113**.

RER



Jeffrey A. Smith
Primary Examiner